

Mail Stop Interference  
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Filed September 26, 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES  
Senior Administrative Patent Judge McKelvey

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ROBERT H. **GRUBBS** and TINA M. TRNKA,

Junior Party  
(Patent 6,426,419 B1 and  
Patent 6,624,265 B1),

v.

WOLFGANG ANTON **HERRMANN**,  
WOLFGANG SCHATTENMANN and THOMAS WESKAMP,

Senior Party  
(Application 10/630,552 and  
Application 11/021,967).

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Patent Interference No. 105,364  
Patent Interference No. 105,365  
Technology Center 1600

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Before McKELVEY, Senior Administrative Patent Judge, and  
HANLON and NAGUMO, Administrative Patent Judges.

NAGUMO, Administrative Patent Judge.

In view of the DECISION – Interlocutory Motions  
Bd.R. 125(b) (Paper 72) and the REDECLARATION – Bd.R. 203  
(Paper 73), it is:

ORDERED that adverse judgment as to priority is  
5 entered against Grubbs.

FURTHER ORDERED that Robert H. Grubbs and Tina M.  
Trnka are not entitled to a patent containing claims 1–35  
of U.S. Patent 6,426,419.

FURTHER ORDERED that Robert H. Grubbs and Tina M.  
10 Trnka are not entitled to a patent containing claims 1–20  
of U.S. Patent 6,624,265.

FURTHER ORDERED that a copy of this Decision  
shall be placed in the files of U.S. Patent 6,426,419  
B1, U.S. Patent 6,624,265 B1, U.S. Application  
15 10/630,552, and U.S. Application 11/021,967.

FURTHER ORDERED that if there is a  
settlement not of record in this interference, the  
attentions of the parties are directed to 35 U.S.C.  
§ 135(c) and Bd.R. 205.

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/ss/ Fred E. McKelvey )  
FRED E. McKELVEY )  
Senior Administrative Patent Judge )

15

/ss/ Adriene Lepiane Hanlon ) BOARD OF  
ADRIENE LEPIANE HANLON ) PATENT  
Administrative Patent Judge ) APPEALS AND  
INTERFERENCES )

20

/ss/ Mark Nagumo )  
MARK NAGUMO )  
Administrative Patent Judge )

Interference 105,364 and 105,365  
Grubbs v. Herrmann

Paper 74

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**Desperтт, Sonja**

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**Attachments:** 105364.074.pdf

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